**Assessment Framework**

## Introduction

In 2006, the Office of the Auditor General (OAG) identified a requirement (Management Action Plan) for the directorate to establish a process to monitor and control the use of the Professional Services (PS) Online System to ensure federal departments and agencies:

* Follow Treasury Board Contracting Policy;
* Do not use the procurement tool to circumvent Canada's obligations under the various trade agreements.

This requirement was met in 2008, with the implementation of an assessment process (Assessment Framework) developed by the Professional Services Procurement Directorate (PSPD).

In 2009, the PSOnline Assessment Framework was used as a baseline to develop an Assessment Framework for Temporary Help Services (THS) On-Line. Although a THS Assessment Framework was established, actual assessments of Federal Department THS Users were not undertaken until 2011 (see below).

In 2010, the Office of Audit and Evaluation established a mandate “to allow PWGSC to discharge its responsibilities related to the monitoring of the usage of PWGSC procurement vehicles” and launched “a continuous review program to monitor the usage of contracts awarded by other government departments (OGDs) using these vehicles.”

In 2011, in response to the mandate of the Office of Audit and Evaluation, a pilot assessment project for THS was completed, based on the Assessment Framework developed for THS On-Line in 2009. This work involved the Client Engagement Sector (CES) and the Services and Technology Acquisitions Management Sector (STAMS).

Also in 2011, the Office of the Procurement Ombudsman (OPO), completed a review of the PSOnline automated procurement tool, including the assessment process used to monitor and control the use of this self-serve procurement tool. A report, [Procurement Practice Reviews - Professional Services Online](http://opo-boa.gc.ca/praapp-prorev/2011-2012/spe-pso-eng.html) was released, re-affirming the need for and the benefits of an assessment process. Changes to the process were also recommended and a Management Action Plan was established connecting the activities from the pilot project work and the responsibilities between CES and STAMS.

In April 2012, revisions to the PSOnline Assessment Framework were made to respond OPO and assessments were carried out and completed.

Now, in February 2013, it is proposed to initiate assessments for THS. The proposed approach will involve modifying the THS Assessment Framework to benefit from the experience gained in carrying out the PSOnline assessments and reflect the recommendations by OPO. Additionally, as part of the Professional Services National Procurement Strategy, a standardized approach is to be implemented for the assessment of all professional services.

## Purpose

The purpose for the assessment of THS On-Line is to monitor and control the use of this self-serve procurement tool.

## Assessment Requirements

Assessments conducted will be based on the requirements as specified in the business rules applicable to the THS Method of Supply (MoS). An Assessor Guidance Document provides specific details regarding each requirement, including a description of each type of finding and how potential findings established. The Assessor Guidance Document may be amended from time to time.

The Identified User will be notified of the requirement for an assessment and will be required to:

* provide call-up/contract activity information necessary for PWGSC to determine which call-up(s)/contract(s) will be assessed;
* provide a copy of the information required to conduct the assessment.

## Call-Up/Contract Selection Process

Call-up/contract activity information provided is reviewed to identify potential assessment candidates based on the following criteria, but not limited to:

* High dollar value of original call-up or contract;
* Total value of amendments, against a single call-up or contract, in excess of $100,000;
* Call-up or contract duration in excess of 48 weeks;
* Information presented in reports suggests that contract splitting may have occurred;
* A minimum of one call-up and one contract (if applicable) per user would be selected for assessment purposes.

## Assessment Process

Once the assessment is completed, a copy of the report covering each call-up/contract assessed and a summary of the findings will be provided to the Identified User and their manager. The Identified User’s manager will be given a period of time to appeal the findings stated in the assessment report. Please refer to the section titled Appeals for additional information. A summary of the assessment findings will also be provided to the executive(s) of the department/agency assessed to facilitate discussions between PWGSC and the department’s/agency’s executive(s).

In addition, a summary of the assessment findings for all departments and agencies will be provided to the Professional Services Steering Committee. These summaries will form the basis for possible refinements to the MoS, as well as the training provided on the use of the THS On-Line System.

Types of assessment findings include:

Major (Policy Related) Non-Conformance – Action taken (or lack thereof) by the Identified User that results in either a contravention of Treasury Board Contracting Policy or Federal/Provincial legislation.

Major (Procedural Related) Non-Conformance - Action taken (or lack thereof) by the Identified User that results in, for example, the improper use of the THS online procurement tool.

Minor Non-Conformance - Action taken (or lack thereof) by the Identified User that results in a contravention of the rules governing the use of the THS online procurement tool. However, the non-conformance does not meet the criteria applicable to either type of Major non-conformance.

Observation - This type of finding will be applied in cases where, for example, information required to determine compliance cannot be provided, the lack of which has already resulted in the issuance of a Major non-conformance against a related element.

## Failure to Comply with the Assessment Framework

Failure to comply with the assessment requirements, within the timeframes stipulated by the PWGSC OSD representative, will result in a recommendation being sent to the THS Standing Offer/Supply Arrangement Authority to de-activate the Identified User’s THS account and a notation being added by PWGSC to the Final Report. De-activation of an Identified User’s THS account will remain in effect until compliance with the THS assessment requirements has been confirmed. Refer to the section “Reinstatement of De-Activated Account”.

## Reinstatement of De-activated Account

Compliance by the Identified User with the THS assessment requirements, as confirmed by the PWGSC OSD representative, will result in a recommendation being sent to the THS Standing Offer/Supply Arrangement Authority to re-activate the Identified User’s THS account. Re-activation of a THS Identified User’s will be at the sole discretion of the THS Standing Offer/Supply Arrangement Authority.

## Appeal Process – Assessment Findings

The manager of the Identified User, who was assessed, may appeal the assessment findings. All appeals must be made in writing and shall include rationale for the appeal as well as any evidence in support of the appeal. To be considered, any appeal must be made within 60 days of the date of receipt of the assessment findings.

The Manager, Online Services Division, (OSD), will review the submitted information and if necessary, institute an investigation into the complaint. The OSD Manager may perform the investigation or assign it to the OSD Team Leader, Assessment Team, OSD or another OSD officer, other than the officer responsible for the original assessment. The OSD Manager will notify the appellant in writing, of the decision, within 30 days.

## Appeal Process – De-activation of Identified User’s Account

The manager of the Identified User for which the THS account was de-activated, may appeal the de-activation in writing, to the Manager, Procurement Strategies Division (PSD). All appeals must be made in writing and shall include rationale for the appeal as well as any evidence in support of the appeal.

The Manager, Procurement Strategies Division, (PSD), will review the submitted information and if necessary, institute an investigation. The PSD Manager may perform the investigation or assign it to the PSD THS Standing Offer/Supply Arrangement Authority. The PSD Manager will notify the appellant in writing, of the decision, within 30 days.